

THOMAS A. ERICSSON, ESQ.  
Nevada Bar No. 4982  
ORONOS, ERICSSON & GAFFNEY, LLC  
1050 Indigo Drive, Suite 120  
Las Vegas, Nevada 89101  
Telephone: (702) 878-2889  
Facsimile: (702) 522-1542  
tom@oronozlawyers.com  
*Attorney for Paul Michael Marciniak*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
PAUL MICHAEL MARCINIAK,  
  
Defendant.

CASE NO.: 2:17-cr-00014-JAD-PAL

**STIPULATION TO CONTINUE  
SENTENCING**

(FIRST REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by Defendant Paul Michael Marciniak, by and through his attorney, Thomas A. Ericsson, Esq., and the United States of America, by and through Steven W. Myhre, Acting United States Attorney, and Daniel Cowhig, Assistant United States Attorney, that the sentencing hearing currently scheduled for October 2, 2017, at the hour of 9:00 a.m., be vacated and continued until May, 2018, to a date and time that is convenient to this Honorable Court. The request for a continuance is based upon the following:

1. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”
2. The parties agree to continue the sentencing hearing until after the trial scheduled in United States v. Daniel Boyar, 2:17-cr-021, set for March, 2018.
3. Defense counsel has spoken to Assistant United States Attorney Daniel Cowhig, and the Government has no objection to the continuance.

4. Defense counsel has spoken to Mr. Marciniak, who is not in custody, and he has no objection to the continuance.
5. The additional time requested herein is not sought for the purposes of undue delay.
6. This is the first stipulation to continue the sentencing hearing filed herein.
7. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

DATED: August 21, 2017.

Respectfully submitted,

/s/ Thomas A. Ericsson

Thomas A. Ericsson, Esq.  
Oronoz, Ericsson & Gaffney, LLC  
1050 Indigo Dr., Suite 120  
Las Vegas, Nevada 89145  
Attorney for Defendant Marciniak

/s/ Daniel Cowhig

Daniel Cowhig  
Assistant United States Attorney  
District of Nevada  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada, 89101  
Attorney for the United States of America

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
PAUL MICHAEL MARCINIAK,  
Defendant.

CASE NO.: 2:17-cr-00014-JAD-PAL

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”
2. The parties agree to continue the sentencing hearing until after the trial scheduled in United States v. Daniel Boyar, 2:17-cr-021, set for March, 2018.
3. Defense counsel has spoken to Assistant United States Attorney Daniel Cowhig, and the Government has no objection to the continuance.
4. Defense counsel has spoken to Mr. Marciniak, who is not in custody, and he has no objection to the continuance.
5. The additional time requested herein is not sought for the purposes of undue delay.
6. This is the first stipulation to continue the sentencing hearing filed herein.
7. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

///

///

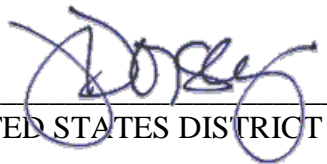
**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interests of the public in proceeding with the sentencing hearing as scheduled, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time to obtain transportation to Las Vegas, Nevada, for the sentencing, taking into account the exercise of due diligence.

**ORDER**

IT IS THEREFORE ORDERED that the Sentencing date in this matter scheduled for October 2, 2017, be vacated and continued to May 7, 2018, at the hour of 9:00 a.m.

DATED this 22nd day of August, 2017.

  
UNITED STATES DISTRICT JUDGE